IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1410 OF 2004
IN
FIRST APPEAL ST.NO.29594 OF 2003

The State of Maharashtra ..Applicant

V/s.

Ravji Krishna Chavan and ors. ..Respondents

Mr.A.R.Patil, AGP for the applicant

WITH

CIVIL APPLICATION NO.1412 OF 2004
IN
FIRST APPEAL ST.NO.29596 OF 2003

The State of Maharashtra ..Applicant

V/s.

Janu Narayan Telange and ors. ..Respondents

Mr.A.R.Patil, AGP for the applicant

CORAM : A.S.OKA, J.

DATE : JANUARY 19, 2007

P.C.

1. Heard learned A.G.P. for the State.

2. The impugned Judgment and Award is in the nature of a money decree. Hence, unconditional stay cannot be granted.

3. The execution and operation of the impugned Judgment and Award will remain stayed till the final disposal of the First Appeal subject to condition of the Applicant depositing the entire amount due and payable as per the impugned Award with the Reference Court within a period of twelve weeks from today. If the deposit of entire amount is not made within stipulated period, the interim stay granted will stand forthwith vacated without further reference to the court.

4. If the amount as aforesaid is deposited, the Claimant/s will be permitted to withdraw the said amount subject to furnishing adequate security for the said amount to the satisfaction of the Reference Court. The Reference Court will hear the Applicant before accepting the security.

5. Civil Application is disposed of in above terms.

6. Liberty to the Respondents to apply for modification of this order as the same is passed without issuing notice of this Application.

(A.S.OKA, J.)